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04 UNITED STATES DISTRICT COURT  
05 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

06 BRET NEAL, ) CASE NO. C08-1007-JCC  
07 )  
Plaintiff, )  
08 )  
v. ) ORDER DISMISSING § 1983  
09 ) ACTION  
C/O BRUNK, )  
10 )  
Defendant. )  
11

12 The Court, having reviewed the Report and Recommendation of the Honorable Mary Alice  
13 Theiler, United States Magistrate Judge, and the balance of the record, does hereby find and  
14 ORDER:

- 15 (1) The Court adopts the Report and Recommendation;  
16 (2) The complaint and this action are DISMISSED without prejudice, pursuant to 28  
17 U.S.C. § 1915(e)(2)(B)(ii); and  
18 (3) The Clerk is directed to send copies of this Order to plaintiff and to Judge Theiler.

19 DATED this 23 day of Sep 1, 2008.

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21 JOHN C. COUGHENOUR  
22 United States District Judge